

**Mississippi Secretary of State**  
700 North Street P. O. Box 136, Jackson, MS 39205-0136

**ADMINISTRATIVE PROCEDURES NOTICE FILING**

AGENCY NAME MS Department of Agriculture & Commerce		CONTACT PERSON Rebecca T. Wilson	TELEPHONE NUMBER (601)359-1113	
ADDRESS P.O. Box 1609		CITY Jackson	STATE MS	ZIP 39215 -1609
EMAIL <a href="mailto:Rebecca@mdac.ms.gov">Rebecca@mdac.ms.gov</a>	SUBMIT DATE 10/23/2012	Name or number of rule(s): Title 2, Part 1, Subpart 2, Chapter 14 (NEW RULE)		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Prohibited Activities on Department Property

Specific legal authority authorizing the promulgation of rule: *Miss. Code Ann. Sections 69-1-1 et seq.*

List all rules repealed, amended, or suspended by the proposed rule: NEW RULE (Title 2, Part 1, Subpart 2, Chapter 14)

**ORAL PROCEEDING:**

☐ An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

X Presently, an oral proceeding is not scheduled on this rule.

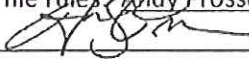
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

**ECONOMIC IMPACT STATEMENT:**

☐ Economic impact statement not required for this rule. X Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>Action proposed:</b> X _____ New rule(s) _____ Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> X _____ 30 days after filing _____ Other (specify): _____	<b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Andy Prosser, Deputy Commissioner, MDAC

Signature of person authorized to file rules: 

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		
Accepted for filing by _____	Accepted for filing by 	Accepted for filing by _____

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.



DELBERT HOSEMAN  
*Secretary of State*

## CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

AGENCY NAME MS Dept. of Agriculture & Commerce	CONTACT PERSON Rebecca T. Wilson		TELEPHONE NUMBER 601-359-1113
ADDRESS P.O. Box 1609	CITY Jackson	STATE MS	ZIP 39215-1609
EMAIL Rebecca@mdac.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Prohibited Activities on Department Property		
Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. Sections 69-1-1 et seq.		Reference to Rules repealed, amended or suspended by the Proposed Rule: NEW RULE (Title 2, Part 1, Subpart 2, Chapter 14)	

### A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:  
The benefit of this regulation will prohibit unlawful activities on Department property and will streamline and validate the application process for weddings and marriage ceremonies. The Mississippi Department of Agriculture and Commerce, as well as the State of Mississippi, will benefit from a more thorough application process that insures proper documentation of a wedding/marriage license and who is properly authorized to solemnize such an event.
2. Briefly describe the need for the proposed rule:  
The proposed regulation is needed to insure proper documentation for legality of a wedding or marriage event on Department property.
3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:  
None. These documents are required by the State of Mississippi currently for valid documentation of a wedding or marriage and shall encompass any application for a wedding or marriage on Department property.
4. Estimated Cost of implementing proposed action:
  - a. To the agency  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
  - b. To other state or local government entities  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
  - c. Cost:  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
  - d. Economic Benefit:  
☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
6. Estimated impact on small businesses:

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

- a. Estimate of the number of small businesses subject to the proposed regulation: none
- b. Projected costs for small businesses to comply: none
- c. Statement of probable effect on impacted small businesses: none

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- ☐ substantially less than ☐ moderately less than ☐ minimally less than  
☒ the same as ☐ minimally more than ☐ moderately more than  
☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):

- ☐ substantially less than ☐ moderately less than ☐ minimally less than  
☐ the same as ☐ minimally more than ☐ moderately more than  
☒ substantially more than ☐ excessively more than

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B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?

- ☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

N/A

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C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

The documentation required to adhere to this regulation is already required by the State of Mississippi to determine legality of marriage. (See *Miss. Code Ann.* Section 93-1-5.)

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D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

Oral proceeding may be requested pursuant to Rule 101 of the Department's Administrative Rules and comments presented to the Department at the above-stated address.

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SIGNATURE



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TITLE

Deputy Commissioner, MDAC

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DATE

10/23/2012

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PROPOSED EFFECTIVE DATE OF RULE

12/20/2012